

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: PROTON-PUMP INHIBITOR
PRODUCTS LIABILITY LITIGATION**

This Document Relates to: ALL ACTIONS

**2:17-MD-2789 (CCC)(MF)
(MDL 2789)
and all member and related cases**

Judge Claire C. Cecchi

**[PROPOSED]
CASE MANAGEMENT ORDER NO. 5
ON NOVEMBER 8, 2017 STATUS
CONFERENCE**

The Court having held a case management conference on November 8, 2017, and after reviewing the parties' submissions and having discussed various case management issues with the parties, enters the following ORDER:

1. Having received rulings from the Court, plaintiffs shall submit a final proposed ESI Order by November 10, 2017.
2. Having received guidance from the Court, the parties shall meet and confer on language that reflects the Court's rulings and submit an agreed-to Privilege Log Order by November 17, 2017.
3. Having received guidance from the Court, by December 13, 2017, the parties shall submit an agreed-to Plaintiff Fact Sheet ("PFS"), which shall include the production of records that should contain product identification and injury diagnosis evidence, all of which will be further discussed and negotiated by the parties, along with a proposed Case Management Order Governing the PFS production, the ancillary records, the timing for same, and other matters related thereto. If the parties are unable to reach agreement, they shall strive to submit a single Order and PFS that includes any competing provisions, along with simultaneous letter briefs setting forth

their positions.

4. Having received guidance from the Court, by December 13, 2017, the parties shall submit, to the extent they are able, an agreed-to Direct Filing Order ("DFO") which shall include provisions for a Master Complaint, Master Answer, Short Form Adoption by Reference Complaints and Short Form Adoption by Reference Answers. If the parties are unable to reach agreement, they shall strive to submit a single Order that includes any competing provisions, along with simultaneous letter briefs setting forth their positions.

5. With respect to the Procter & Gamble defendants, the ESI deposition shall be completed between January 29 and February 2, 2018. The parties shall complete the remaining noticed 30(b)(6) depositions by March 9, 2017.

6. With respect to the Takeda defendants, the parties shall make their best efforts to complete noticed 30(b)(6) depositions from February 1 to March 9, 2017.

7. The parties shall meet and confer on a Scheduling Order and will report back to the Court at the next status conference.

8. The next status conference is scheduled for December 18, 2017 at 1 p.m. The parties shall submit a Joint Status Report and Agenda to the Court by December 14, 2017.

9. All future submissions to the Court shall be filed no later than 5 p.m. eastern.

SO ORDERED:

Dated: Newark, New Jersey
November ___, 2017

CLAIRES C. CECCHI
United States District Judge